

**LEGISLATIVE SERVICES AGENCY  
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

200 W. Washington, Suite 301  
Indianapolis, IN 46204  
(317) 233-0696  
<http://www.in.gov/legislative>

**FISCAL IMPACT STATEMENT**

**LS 7712**

**BILL NUMBER: HB 1534**

**NOTE PREPARED: Jan 23, 2003**

**BILL AMENDED:**

**SUBJECT:** Town Marshal and Deputy Marshal Overtime Pay.

**FIRST AUTHOR:** Rep. Goodin

**FIRST SPONSOR:**

**BILL STATUS:** CR Adopted - 1<sup>st</sup> House

**FUNDS AFFECTED:**     **GENERAL**  
                              **DEDICATED**  
                              **FEDERAL**

**IMPACT:** Local

**Summary of Legislation:** This bill provides that a town marshal or deputy marshal not covered by the federal Fair Labor Standards Act must be paid for overtime hours.

**Effective Date:** July 1, 2003.

**Explanation of State Expenditures:**

**Explanation of State Revenues:**

**Explanation of Local Expenditures:** Of the 318 marshal departments in the state, 250 employ four or fewer marshals and are currently exempt from the Fair Labor Standards Act, and almost 60 have no officers. A total of 376 full-time town marshals and deputy town marshals are employed by these departments. The fiscal impact of this bill is dependent on the number of hours of overtime worked by marshals. Marshal offices currently may provide no pay, compensatory time, and over-time pay for work performed in excess of 40 hours. According to 2002 data, annual salaries for full-time marshals in small departments mostly ranged from about \$25,000 to \$35,000, although some salaries below \$10,000 and above \$40,000 were reported. Any additional overtime pay would also be applied to any locally established pension benefits that may exist (town marshals are not members of any state pension plan).

**Explanation of Local Revenues:**

**State Agencies Affected:**

**Local Agencies Affected:** Towns and cities that employ four or fewer marshals.

**Information Sources:** Scott Mellenger, Indiana Law Enforcement Training Board; Indiana Municipal Salaries, Wages & Fringe Benefits 2002, Indiana Association of Cities & Towns; Doug Todd, McCready & Keene, Inc.

**Fiscal Analyst:** Valerie Ruda, 317-232-9867